

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

CHAMBERS OF
PAUL W. GRIMM
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE
GREENBELT, MARYLAND 20770
(301) 344-0670
(301) 344-3910 FAX

June 28, 2021

RE: *Hicks v. Ferreyra*,
PWG-16-2521

LETTER ORDER

Dear Counsel:

This letter order addresses Defendants' Motion to Reconsider Order Dated June 4, 2021, ECF No. 132, to which Plaintiff responded, ECF No. 135. I have reviewed the filings and find that a hearing is unnecessary. *See* Loc. R. 105.6 (D. Md. 2018). For the reasons stated herein, the motion is DENIED.

Defendants timely asked me to reconsider my June 4, 2021 Order, ECF No. 131, and enter a new order precluding any evidence at trial regarding the 2009 incident between Officer Ferreyra and a different Nathaniel Hicks. However, Defendants have failed to provide a legal or factual basis for changing my ruling. In my Order, I granted in part and denied in part the parties' motions in limine, with a narrow allowance for inquiry and admission of the evidence, specifically to avoid the risk of confusing or misleading the jury. *See* Order 1. None of the conditions that might warrant reconsideration are met here—I considered the issue after clarification by Plaintiff and discussion with both parties regarding the 2009 incident, there has been no significant change in the law or facts since my ruling, and on reviewing the record and the limiting wording of my Order, I find no reason to amend my decision. *See, e.g., Jones v. Dimensions Health Corp.*, PWG-13-2250, 2014 WL 1339635, at *2 (D. Md. 2014) (describing circumstances under which a court might reconsider a prior ruling). Further, Plaintiff has indicated that he has no objection to a clarifying stipulation or instruction to the jury. Pl.'s Resp. 3.

Accordingly, Defendants' Motion to Reconsider Order Dated June 4, 2021, ECF No. 132, is DENIED. Defendants' counsel are directed to confer with Plaintiff's counsel regarding a stipulation or instruction that may add additional clarity on the matter for the jury, inasmuch as Plaintiff is willing to do so.

Although informal, this is an Order of the Court and shall be docketed as such.

Sincerely,

/S/
Paul W. Grimm
United States District Judge